

**ORDINANCE NO. 13-01**

**AN ORDINANCE RE MOTORCYCLES, ATV'S, MOPEDS, MOTOR DRIVEN  
CYCLES, OFF-HIGHWAY MOTORCYCLES AND SNOWMOBILES ON  
RESIDENTIAL PROPERTY**

**WHEREAS**, the Village of Morton finds that the recreational operation of motorcycles, motorbikes, all terrain vehicles ("ATV's") and snowmobiles on private property in residentially zoned areas and other areas of residential use within the Village, creates irritating dust, fumes, and noise, and constitutes a public nuisance to the residents of Morton; and

**WHEREAS**, the Village of Morton further finds that portions of certain parcels of private property in residentially zoned areas within the Village have been repeatedly utilized as dirt bike courses and/or areas where individuals can operate motorcycles or similar vehicles for recreational purposes. The high level of sound, fumes, and dust often produced or caused by motorcycles and similar vehicles operating on such parcels is detrimental to health, comfort, convenience, safety, and welfare of residents of the surrounding neighborhoods. Detrimental impacts on residents from these activities include, but are not limited to, disruption of normal daily activities, interference with enjoyment of property, extreme annoyance, and air pollution. Such impacts could also occur from the recreational use of ATV's; and

**WHEREAS**, the Village of Morton further finds that taking noise level measurement of individual instances of such activity is impractical; and

**WHEREAS**, the purpose of this chapter is to prohibit all recreational operation of motorcycles and ATV's on private property in residentially zoned areas.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON**, the Morton Municipal Code is revised by adding Title 6 Chapter 2 Section 30 as follows:

**6-2-30 Definitions.**

A. As used in this chapter:

"ATV" means an all terrain vehicle as defined in Section 5/1-101.8 of the Illinois Vehicle Code.

"Motorcycle" means a motor vehicle defined in Section 5/1-147 of the Illinois Vehicle Code.

"Moped" as defined in Section 5/1-148.2 of the Illinois Vehicle Code.

“Motor Driven Cycle” as defined in Section 5/1-145.001 of the Illinois Vehicle Code.

“Off-Highway Motorcycles” as defined in Section 5/1-153.1 of the Illinois Vehicle Code.

“Residentially zoned area” means any parcel of land, or portion thereof, within any “residential” zoning district as defined in Title 10 Chapter 5 of this Code, except areas zoned R-S with acreage of 5 acres or more.

“Vehicles” for purposes of this chapter means Motorcycles, ATV’s, Mopeds, Motor Driven Cycles, Off-Highway Motorcycles, and Snowmobiles.

B. Operation of Vehicles:

No person shall operate any vehicle as defined in Paragraph A upon private property in a residentially zoned district within the Village at any time, excluding a driveway, a garage, or paved private streets, regardless of whether such vehicle is licensed or unlicensed.

C. Use of property for operation of vehicles prohibited:

No owner or resident of private property in a residentially zoned area within the Village shall use their property, or permit their property to be used by any other person, for operation of any vehicle. This shall not preclude the use of a garage, a driveway, or paved private streets.

D. Exemptions:

The following uses of vehicles are exempt from the provisions of this chapter:

1. The operation of publicly-owned or emergency vehicles or motorcycles by public officers or emergency personnel in the course and scope of their employment.
2. The operation of any vehicles associated with the maintenance of real property of lawful uses thereon.
3. The operation of any vehicle associated with construction, repair, remodeling, or grading of any real property.
4. The operation of any vehicle associated with normal and customary yard maintenance.

**PASSED AND APPROVED** at a regular meeting of the President and Board of Trustees  
of the Village of Morton this 3<sup>rd</sup> day of June, 2013; and upon roll  
call the vote was as follows:

**AYES:** Belsley, Daab, Leer, Kaufman, Newhouse

**NAYS:** Ø

**ABSENT:** Hermann

**ABSTAINING:** Ø

**APPROVED** this 3<sup>rd</sup> day of June, 2013.

*D. Rain Ton*  
**President**

**ATTEST:**

*Joseph A. Dohle*  
**Village Clerk**

